

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

<p>RABBI DAVID SLOMOVITZ, NATHAN FRANKEL, EDWARD HANDLER, SAMUEL LANDY, MIRIAM LEVITZ, HARRY LIEBER, DAVID REICH, ABRAHAM TAUBER, and MORRIS WALDMAN,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>THE ENCLAVE AT FAIRWAYS, HOMEOWNERS ASSOCIATION, INC., a New Jersey Domestic Corporation,</p> <p style="text-align: right;">Defendant.</p>	<p style="text-align: center;">Civil No.</p> <p style="text-align: center;"><b>DECLARATION OF HARRY LIEBER</b></p>
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**DECLARATION OF HARRY LIEBER**

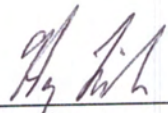
Harry Lieber declares as follows, pursuant to 28 U.S.C. § 1746:

1. I am a resident of The Enclave at the Fairways ("The Enclave") and a member of The Enclave at the Fairways Homeowners Association, Inc. ("HOA").
2. I am a practicing Orthodox Jew.
3. I purchased my home at 52 Kristin Court, Lakewood, New Jersey, 08701 on September 6, 2016.
4. Prior to October 1, 2017, I attended services at the Beth Midrash Elmwood Village Synagogue located at 2 Tova Drive, Lakewood, New Jersey, 08701.

5. Prior to June 2018, I was able to freely come and go from my home to Beth Midrash Elmwood Village Synagogue through the Damiano pedestrian gate from the Enclave and walk to the Synagogue to attend Sabbath and other religious services.
6. On the weekend of June 15, 2018, I attended a religious service at the River Terrace Hall, located at 1106 River Avenue, Lakewood, NJ 08701, and returned to find the Damiano pedestrian gate locked. I had to climb under the bar blocking the vehicle gate to get to my home.
7. This occurred again on August 4, 2018. After this second occasion of climbing under the bar, I stopped attending religious services at these two locations.
8. I feared not being able to return to my home if I continued to attend services at the Synagogue.
9. The actions of the HOA in blocking the Damiano pedestrian gate and Damiano exit have interfered with my right to exercise my religious beliefs and practice my religion.
10. During the course of traditional Christian holidays, residents of the Enclave can and do decorate their homes and the Clubhouse at the Enclave with holiday decorations.
11. I, however, had to apply for a permit from the Enclave HOA to place a Sukkah on my property. This permit is in a very bright color and large letters and must be placed on the front of our home. I find this extremely offensive and a deliberate attempt to indicate to the neighborhood that I am a Jew.

12. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 5, 2018

  
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Harry Lieber